

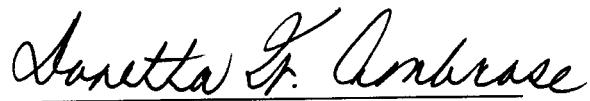
IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

KEITH BROWN,)
Plaintiff,)
vs.) Civil Action No. 05-826
COMMISSIONER JEFFREY BEARD,)
et al.,)
Defendants.)

O R D E R

AND NOW, this 16th day of November, 2005, after the plaintiff, Keith Brown, filed an action in the above-captioned case, and after a motion to dismiss was submitted by defendant Adam Edelman, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by defendant Adam Edelman, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation (Docket No. 70), which is adopted as the opinion of this Court,

IT IS ORDERED that the Motion to Dismiss Plaintiff's Second Amended Complaint submitted on behalf of defendant Adam Edelman (Docket No. 53) is denied.


Donetta W. Ambrose
United States Chief District Judge